

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

STEPHEN JOHN CASEY, SR.,

Petitioner,

v.

STEVEN O'BRIEN,

Respondent.

Civil Action No. 04-11940-PBS

**RESPONDENTS' SUPPLEMENTAL ANSWER**

Respondent Steven O'Brien (the "Respondent") hereby supplements his Answer by submitting the following materials as Exhibits hereto:

EXHIBIT A. Initial Docket for Commonwealth v. Steven Casey, Case No. 1998-CR-0421 in the New Bedford, Massachusetts, Superior Court ("First Bristol Docket");

EXHIBIT B. Subsequently Produced Docket for Commonwealth v. Steven Casey, Case No. 1998-CR-0421 in the New Bedford, Massachusetts, Superior Court ("Second Bristol Docket");

EXHIBIT C. Initial Docket for Commonwealth v. Steven J. Casey, Case No. 1998-CR-01379 in the Brockton, Massachusetts, Superior Court ("First Plymouth Docket");

EXHIBIT D. Subsequently Produced Docket for Commonwealth v. Steven J. Casey, Case No. 1998-CR-01379 in the Brockton, Massachusetts, Superior Court ("Second Plymouth Docket");

EXHIBIT E. Docket for Commonwealth v. Steven Casey, Case No. 2002-P-0913 in the Massachusetts Appeals Court (“Appeals Ct. Docket No. 2002-P-0913”);

EXHIBIT F. Docket for Commonwealth v. Steven J. Casey, Case No. 2003-P-1027 in the Massachusetts Appeals Court (“Appeals Ct. Docket No. 2003-P-1027”);

EXHIBIT G. Docket for Commonwealth v. Steven J. Casey, Case No. DAR-13946 in the Massachusetts Supreme Judicial Court (“SJC Docket No. DAR-13946”);

EXHIBIT H. Docket for Commonwealth v. Steven Casey (No. 1), Case No. SJC-09187 in the Massachusetts Supreme Judicial Court (“SJC Docket No. SJC-09187”);

EXHIBIT I. Docket for Commonwealth v. Steven J. Casey (No. 2), Case No. SJC-09212 in the Massachusetts Supreme Judicial Court (“SJC Docket No. SJC-09212”);

EXHIBIT J. Bristol County indictment charging Steven Casey with violating M.G.L. c. 265, § 22A by raping a child under the age of sixteen years using force on divers dates and times between December 1, 1990 and August 31, 1998, in the City of New Bedford (“Bristol Rape Indictment”);

EXHIBIT K. Bristol County indictment charging Steven Casey with violating M.G.L. c. 265, § 13B by indecently assaulting and battering a child under the age of fourteen years on divers dates and times between December 1, 1990 and August 31, 1998, in New Bedford (“Bristol Indecent A&B Indictment”);

EXHIBIT L. Bristol County indictment charging Steven Casey with violating M.G.L. c. 265, § 24B by assaulting a child under the age of sixteen years with intent to rape on divers dates and times between January 1, 1985 and August 10, 1988, in New Bedford (“Bristol Assault with Intent to Rape Indictment”);

EXHIBIT M. Plymouth County indictment charging Steven J. Casey with violating M.G.L. c. 265, § 23 by raping a child under the age of sixteen years in or between January 1991 and September 1998, in the Town of Rochester (“Plymouth Rape Indictment”);

EXHIBIT N. Plymouth County indictment charging Steven J. Casey with violating M.G.L. c. 265, § 13B by indecently assaulting and battering a child under the age of fourteen years in or between January 1991 and June 10, 1998, in Rochester (“First Plymouth Indecent A&B on Child Indictment”);

EXHIBIT O. Plymouth County indictment charging Steven J. Casey with violating M.G.L. c. 265, § 13B by indecently assaulting and battering a child under the age of fourteen years in or between January 1996 and September 1998, in Rochester (“Second Plymouth Indecent A&B on Child Indictment”);

EXHIBIT P. Plymouth County indictment for violating M.G.L. c. 265, § 13H by indecently assaulting and battering a person who has attained the age of fourteen on or between June 11, 1998 and September 1998, in Rochester (“Plymouth Indecent A&B on Person over 14 Indictment”);

EXHIBIT Q. Notice of Appeal filed on November 10, 1999 in connection with Commonwealth v. Steven Casey, Case No. 1998-CR-0421 in the New Bedford, Massachusetts, Superior Court (“Bristol Notice of Appeal”);

EXHIBIT R. Waiver of Defendant's Rights in connection with Commonwealth v. Steven J. Casey, Case No. 1998-CR-01379 in the Brockton, Massachusetts, Superior Court ("Plymouth Waiver of Rights");

EXHIBIT S. Affidavit of Attorney Antone B. Cruz, Jr. accompanying Motion for New Trial filed in connection with Commonwealth v. Steven Casey, Case No. 1998-CR-0421 in the New Bedford, Massachusetts, Superior Court ("Aff. of Cruz");

EXHIBIT T. Affidavit of Stephen Casey accompanying Motion for New Trial filed in connection with Commonwealth v. Steven Casey, Case No. 1998-CR-0421 in the New Bedford, Massachusetts, Superior Court ("Aff. of Casey"); and

EXHIBIT U. August 27, 2003 Order of the Massachusetts Appeals Court in connection with Commonwealth v. Steven Casey, Case No. 2002-P-0913, and Commonwealth v. Steven J. Casey, Case No. 2003-P-1027 ("Appeals Ct. Order").

Respectfully submitted,

THOMAS F. REILLY  
ATTORNEY GENERAL

/s/ Randall E. Ravitz  
Randall E. Ravitz (BBO # 643381)  
Assistant Attorney General  
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(617) 727-2200, ext. 2852

Dated: April 11, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served on April 11, 2005, by first class mail, postage prepaid, upon:

Stephen John Casey, Sr.  
W-67232  
North Central Correctional Institute  
500 Colony Road  
P.O. Box 466  
Gardner, MA 01440

pro se

/s/ Randall E. Ravitz  
Randall E. Ravitz